IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
**THE HON'BLE MR JUSTICE A.GOPAL REDDY**
**WRIT PETITION NO : 18958 of 1999**

Between:
Sonti Alivelumangamma,
W/o. Sonti Nagendram, aged about 38 years,
Occ: Sarpanch, R/o. Adavuladeevi Gram Panchayat,
Nizampatnam andal, Guntur District.

…PETITIONER

AND
1.Government of Andhra Pradesh
rep.by Secretary, Panchayatraj,
Department, Secretariat, Hyderabad.
2. District Collector (Panchayat Wing)
Guntur District, Guntur.
3. Upa-sarpanch, Gram Panchayat,
Ajdavuladeevi (V) Nizampatnam Mandal,
Guntur District.

….RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ, roder or direction particularly a Writ of Mandamus directing the Respondent No.1 herein to dispose of the stay application on merits in the appeal filed by the Petitioner herein (filed on 23.08.1999) against the orders of the 2nd respondent in ROC.No. 2919/98-G.1, dated 5.8.1999 and pass

**Counsel for the Petitioner:MR.J.PRABHAKAR**

**Counsel for the Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ & RURAL DEV.**

**The Court Made the Following :**

**THE HON'BLE SRI JUSTICE A.GOPAL REDDY**

**WRIT PETITION NO : 18958 of 1999**

ORDER:

This writ petition is filed seeking an order directing the 1st respondent to dispose of the stay application filed by the petitioner against the orders of the 2nd respondent in Roc.No.2919/98.G.1, dated 5.8.1999.

Petitioner who is an elected Sarpanch of Adavuladeevi Gram Panchayat, Nizampatnam Mandal, Guntur District, was removed from the office of Sarpanch by the second respondent-District Collector (Panchayat Wing ) Guntur District, Guntur, through proceedings in Roc.No.2919/98-G.1, dated 5-8-99 in exercise of powers under Section 249 (1) of A.P.Panchayat Raj Act, 1994. Aggrieved by the same, the petitioner filed an appeal before the first respondent with an application for setting aside operation of the removal order. Complaining that no orders passed on the said application, the present writ petition is filed.

While admitting the writ petition, this Court stayed the orders passed by the second respondent-District Collector, dated 5-8-1999 removing the petitioner from the office of the Sarpanch, Adavulaveedhi Gram Panchayat,

Nizampatnam Mandal with effect from 10-9-1999 with a direction to the petitioner to file an appeal before the Commissioner (Panchayat Raj) and on filing such an application the Commissioner (Panchayat Raj) was directed to pass appropriate orders on the said application.

In the counter filed by the respondent it is stated that the Commissioner of Panchayat Raj entertained the appeal and granted interim stay on 17.9.1999 on the Collector's order dated 5-8-1999.

In view of the same, no further adjudication is required in the matter. The petitioner is at liberty to prosecute the appeal filed by him before the Commissioner (Panchayat Raj).

Accordingly, the writ petition is dismissed. No costs.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Secretary, Government of Andhra Pradesh,
   Panchayatraj Department, Secretariat, Hyderabad.
2. The District Collector (Panchayat Wing)
   Guntur District, Guntur.
3. Upa-Sarpanch, Gram Panchayat, Adavuladeevi (V)
   Nizampatnam Mandal, Guntur District.
4. 2 CCs to GP for Panchayat Raj & Rural Development, High Court Buildings, Hyderabad(OUT)
5. 2 CD Copies

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